IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4042 OF 1999

The Petroleum Employees Union & Anr. .. Petitioners
V/s
Oil & Natural Gas Corporation Ltd.& Ors... Respondents

Mr.S.S.Pakale for the Petitioners.
Mr.D.A.Dube with Mr.Y.R.Mishra for Respd. Nos. 2 to 4.

CORAM : B.H.MARLAPALLE & NARESH H.PATIL,JJ.
DATE : 29th September, 2006.

P.C.:

1. Heard Mr.Pakale, the learned Counsel for the petitioners. Undoubtedly, the reference has already been made under Section 10(4) read with Section 12 of the Industrial Disputes Act, 1947 deciding the Employer and Empolyee relationship of the Petitioner Union's members who are employed by the Respondent No.1 Corporation as contract labours, and obviously, pursuant to the law laid down by the constitution Bench in the case of **Steel Authority of India Limited & Others V/s National Union Waterfront Workers and Others (2001) 7 SCC 1**.

2. This petition therefore has already served its purpose and the challenge raised in this petition cannot be examined at this stage. We therefore dispose of the petition as not maintainable following the law laid down in the case of **Steel Authority of India Limited (supra)** and grant liberty to the petitioners to file an application for interim protection in the pending

reference, and if such an application is presented within a period of four weeks from today, we direct that the said be decided as per the law within a period of two months of its presentation.

3. The order of status-quo granted in this petition shall continue to operate for a further period of three months from today.

(NARESH H.PATIL,J.) **(B.H.MARLAPALLE, J.)**